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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,) No. CR 08-0367 DLJ
14 Plaintiff,)
15 v.) UNITED STATES' MOTION TO UNSEAL
16 LEONARD B. AUERBACH,) SEARCH WARRANTS AND
17 Defendant.) [PROPOSED] ORDER

18
19 The United States hereby moves the Court for an order unsealing all Applications and
20 Affidavits for Search Warrant, Search Warrants, and all attachments thereto, relating to this case.
21 Specifically, the government obtained search warrants for the defendant's residence (No. 4:07-
22 70464 WDB) and e-mail account (No. 3:07-70490) on August 3, 2007 and August 17, 2007,
23 respectively. At the time the search warrants were sought, the government sought and obtained
24 sealing orders based on the sensitivities of the ongoing federal investigation at the time, including
25 preservation of the confidentiality of the investigation and the well being of the minor victim
26 identified therein. Because the defendant is the sole target of the investigation and to facilitate
27 production of discovery to the defendant, unsealing the search warrants and related documents is
28 appropriate and necessary at this time. The government has consulted with defense counsel who

UNITED STATES' MOT. UNSEAL & [PROPOSED] ORDER
No. CR 08-0367 DLJ

1 does not oppose this motion and supports the government's efforts to unseal the search warrant
2 materials in order to provide them in discovery.

3 Dated: August 13, 2008

4 Respectfully submitted,

5 JOSEPH P. RUSSONIELLO
6 United States Attorney

7 _____ /s/
8 ANDREW S. HUANG
9 Assistant United States Attorney

10
11 **[PROPOSED] ORDER**

12 Based upon the motion of the government and for good cause shown, it is hereby
13 ORDERED that the following shall be UNSEALED:

- 14 1. Application and Affidavit for Search Warrant, Search Warrant, and
15 all attachments thereto, No. 4:07-70464 WDB; and
16 2. Application and Affidavit for Search Warrant, Search Warrant, and
17 all attachments thereto, No. 3:07-70490.

18
19 DATED: _____

20 Hon. JOSEPH C. SPERO
United States Magistrate Judge